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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,411	05/31/2000	Kurt Russell Taylor	AUS000153US1	3019
35525	7590	06/29/2004	EXAMINER	
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			TRUONG, LECHI	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/583,411	Applicant(s) TAYLOR, KURT RUSSELL	
	Examiner LeChi Truong	Art Unit 2126	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: NONE.

Claim(s) objected to: NONE.

Claim(s) rejected: 1-57.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


MENG-AL T. AN
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 2100

Continuation of 5. does NOT place the application in condition for allowance because: 1. Applicant argument filed on 05/04/2004 has been considered but they are not persuasive.

In the remarks, application argued in substance that (1) " Spofford does not teach or suggest an OID abstraction layer", (2) " the abstraction layer that is capable of receiving queries for objects in two or more different protocols", (3) " it is unclear how Spofford, Whitehead and Daigle are being combined or how the proposed combination achieves the stated goal"

2. Examiner respectfully traversal Applicant's remarks:

As to the point (1), Spofford teaches OID abstraction layer is the IBM manager. The IBM manager is a set of software interfaces to dynamically manage a tree of SMP data objects defined within the Dynamic MIB and identified by OIDs (col 11, ln 30-36)/ A MIB manager to dynamically add and delete MIB object by OID, col 12, ln 40-45).

As to the point (2), Spofford teaches the MIB manager 202, which executes the corresponding functions in response to the SNMP requests such as query (col 11, 1-5). The SNMP requests that the present invention is applicable to any particular network protocol (col 1, ln 15-21). It is clearly show that the MIB manager 202 has ability to received information from two different protocols. The specification page 16, ln 5-10 indicated, " each repository must be programmed to work with this API, regardless of the protocol or protocol supported by the repository" which is more clearly to show the invention of application.

As to the point (3), Daigle teaches capable of receiving queries for objects in two or more different protocols, Daigle support the limitation that queries can come from different protocols (SNMP of Spofford) (page 5, sec: The DAG core).

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